

## **CHAPTER II**

### **REVIEW OF RELATED LITERATURE**

This chapter presents review of related literature in which it is including definitions of translation, types of translation, translation problems, definition of legal documents, and types of legal documents.

#### **2.1 Translation Definition**

Translation is a transferring and interpretation process of languages in which from source language to target language in any kinds of written or verbal texts which have equal meaning. According to Maher and Open (2010) stated translation is any transfer of any texts from one language code into another language code and it is an art which requires appropriate knowledge of both, source and target language. Translation is believed that not only from the texts or sentences in paper, poem, or story, but it can be a single exchange of greeting or single sentences for a clear non-verbal context also. People who conduct the process of transferring language is called translator.

The translated language is called Source Language (SL), if it is in a text form, named Source Text (ST). The language which is used to present the new text is called Target Language (TL), if it is in text form, named Target Text (TT). Translation similarly refers to the process of reproducing information from the original version, but it is equal and does not changing the information meaning.

In summary, translation is the process of transferring message from the source language into the target language without any changing of information meaning and it must be equal in order to make understanding for the reader of target language. Therefore, the equivalence of both is important.

### **2.1.1 Types of Translation**

Translation is divided into some types; literacy translation and informative translation. According to Kuzenko (2010) stated the different types of translation can be singled out depending on communicative function of the source text or the form of speech involved in the translation process, namely literary translation and informative translation.

- 1) The translation which deals with literary works of fiction or poetry whose main function is to make an emotional or aesthetic impression upon the readers called literary translation. Their communicative value depends on their artistic quality and the translator's sense. For examples: translation of novels, poems, song lyrics, etc.
- 2) The translation which is rendering from source language into the target language but non-literary and the main purpose are to convey a certain amount of ideas and to give more information from the text for the readers called informative translation. For example: translation of report texts, news, documents, etc.

### 2.1.2 Translation Problems

Problems on translation can be divided generally into linguistic problems, cultural problems, pragmatic problems, text-specific translation problems (Rad, 2013). The translator must understand about those all of problems.

#### 1) Linguistic translation problems

Linguistic translation problem is the differences of language structure between source and target language in text/verbal sentence, including structure and supra-segmental features give rise to certain translation problems. It is well known that no two languages are alike because each language has different rules and specific sentence constructions; they are included grammatical structure differences, lexical ambiguity, and meaning ambiguity. When the target language has incorrect or different structure with actually source language structure means, it can make misunderstanding to the reader.

#### 2) Cultural translation problems

Cultural translation problem is mainly due to the contrast in expressing various ideas and approaching specific text genres as a result of the differences in the culture specific (verbal) habits, expectation, norms, and conventions verbal and other behaviours occurs between source and target language. For instance, the English template for an instruction manual differs from Indonesian, or a culture may employ a specific typology for something whereas another may not use specific typology. A simple example includes writing a date, the English text is written mostly like May 06, 2017 or 05/06/2017, but it is different from

Indonesian text which is written as 06 May 2017 or 06/05/2017. It possibly makes misunderstanding, if the cultural terms are reputed as a same.

### 3) Pragmatic translation problems

Pragmatic translation problems refers to any issues relating to time, place, and context which are arising from particular transfer situation with specific contrast of source language vs. target language recipients, source language medium. For example, the different names of national institutions or organization vary from one location to another (e.g. American State Departments vs. British Ministries).

### 4) Text-specific translation problems

Text-specific translation problem is any problems arising and not classified as linguistics, cultural or pragmatic translation problems and these could be various innovations made by the text author. For example, the text author writes strange acronym or some codes there which generally unidentified by translator in the sentence.

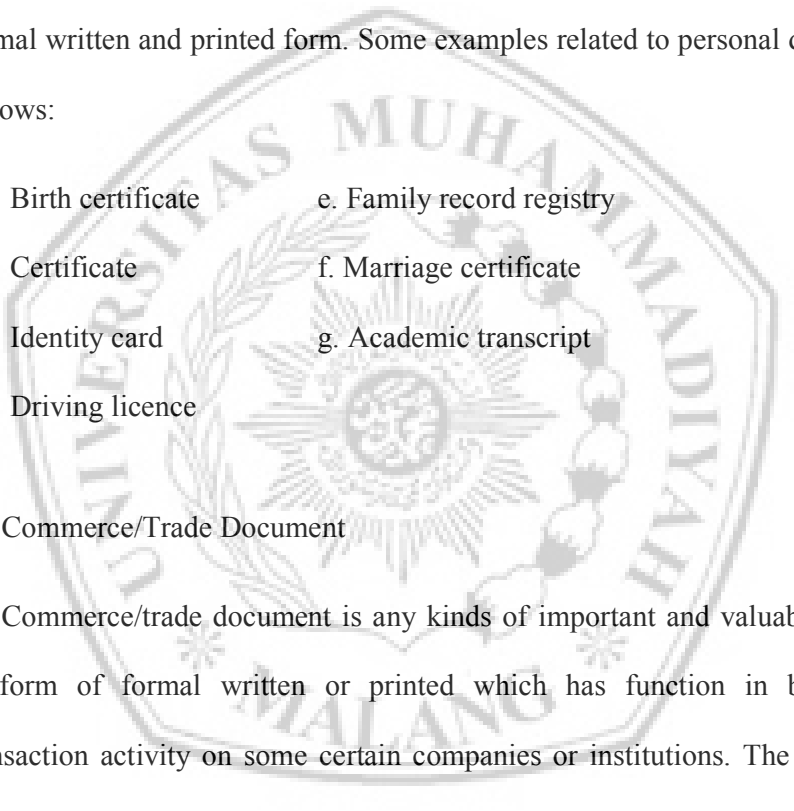
## 2.2 Legal Documents

Legal document means a document concerning a legal matter which comes from the court, institution or other government agency and define legal right, privileges, or duties of the persons named in the instruments. According to Couvillon (2011) stated any written instrument that defines, declares, limits, or expands the legal right or privileges of a person or entity is called legal document. Court issues order that require or prohibit certain actions, and limit or legal right.

There are several types of legal documents that often be used in people's needs, Mursiati (2016) defines into three basic types of legal documents as follows:

1) Personal Document

Personal document is any important and valuable information that explaining about someone's personal identity as evidence related to personal necessity within formal written and printed form. Some examples related to personal documents as follows:

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- a. Birth certificate
  - b. Certificate
  - c. Identity card
  - d. Driving licence
  - e. Family record registry
  - f. Marriage certificate
  - g. Academic transcript

2) Commerce/Trade Document

Commerce/trade document is any kinds of important and valuable document in form of formal written or printed which has function in business and transaction activity on some certain companies or institutions. The examples of commerce/trade document include:

- a. Transaction letter
- b. Agreement letter
- c. Letter of credit
- d. Cheque
- e. Packing list
- f. Contract business letter

### 3) Government Document

Government document is document that consists of information which usually explaining rules, acts, government structure and activities occur in certain region or country. The examples of government document are following:

- a. Acts
- b. President's decision
- c. Government policy
- d. Region policy

### 2.3 Problem Solving Strategies in Translation

Choosing and applying the correct translation strategies to solve the translation problems and difficulties is an indispensable skill that translators have to master it; therefore it is essential for translators to be aware using the correct translation strategies while translating some texts. According to Zainudin (2015), the solution for the problems when translating some texts are categorized into two ways generally, namely cooperative approach (discussion) and traditional approach (reading). Cooperative approach (discussion) means translators decide to make a group to discuss problems and solutions while translating some texts and share the information, the discussion also could be asking to translation expert through online media like online translation forums in the internet. Traditional approach (reading) means translators read and find problems solutions from the appropriate and specific sources and references related to the translation, it could be finding correct particular terminologies used.